Amendments to the claims:

1. (Canceled)

2. (Canceled)

3. (Canceled)

4. (Canceled)

5. (Canceled)

6. (Canceled)

7. (Canceled)

8. (Canceled)

9. (Canceled)

10. (Canceled)

11. (Canceled)

12. (Canceled)

13. (Canceled)

14. (Canceled)

15. (Canceled)

16. (Canceled)

17. (Canceled)

18. (Canceled)

19. (Canceled)

20. (Previously Presented) The assembly of claim 41, wherein each slot has a second cutting edge.

21. (Canceled)

22. (Previously Presented) The assembly of claim 20, wherein each slot has opposing cutting edges.

23. (Previously Presented) The assembly of claim 41, wherein the back faces are substantially flat.

24. (Previously Presented) The assembly of claim 23, wherein the back faces are substantially smooth.

25. (Previously Presented) The assembly of claim 41, wherein at least a portion of each handle is tapered.

26. (Previously Presented) The assembly of claim 20, wherein each handle has a longitudinal axis and the relative position of the longitudinal axes of the handles are configured at an acute angle when initiating rotation of the heads about the bone plate.

27. (Previously Presented) The assembly of claim 26, wherein the angle formed between the handles of each head decreases as the heads are rotated about the bone plate.

28. (Previously Presented) The assembly of claim 27, wherein the heads are disk shaped.

29. (Canceled)

30. (Canceled)

31. (Canceled)

32. (Canceled)

33. (Canceled)

34. (Canceled)

35. (Canceled)

36. (Canceled)

37. (Canceled)

38. (Canceled)

39. (Canceled)

40. (Canceled)

41. (Currently Amended) A bone plate cutting assembly for shearing by transverse forces a bone plate having a non-circular cross-section and a longitudinal axis, comprising:

a first shearing element comprising

a handle for manipulation of the first shearing element; and

a first head attached to the handle and having a front face, a back face, and at least one outer surface, the first head having a first slot through the front and back faces and extending from the outer surface towards an interior of the first head, the first slot extending across substantially ~~about~~ one-half the back face and tapering from the at least one outer surface toward an interior of the first head; and

a second shearing element comprising

a handle for manipulation of the second shearing element; and

a second head attached to the handle and having a front face, a back face, and at least one outer surface, the second head having a second slot through the front and back faces and extending from the outer surface towards an interior of the second head;

wherein the first and second slots each define a set of opposing surfaces ~~faces~~ and at least one opposing surface ~~face~~ of each set of opposing surfaces ~~faces~~ intersects the back face of the shearing element to form a bevelled cutting edge and wherein rotation of the first and second heads counter to one another about an axis of rotation with the heads directly touching each other at the cutting edges applies a torsional shearing force on the bone plate and the axis of rotation is selectively located within the first slot.

42. (Previously Presented) The assembly of claim 41, wherein the first and second heads are unconnected for selectively locating the axis of rotation at two or more locations within the first slot.

43. (Previously Presented) The assembly of claim 41, wherein the axis of rotation is selectively located about half-way across the back face of the first slot.

44. (Currently Amended) The assembly of claim 42, wherein ~~the first and second slots define opposing faces and~~ each opposing surface ~~face~~ of each set of opposing surfaces ~~faces~~ intersects the back face of the shearing element to form a bevelled cutting edge.

45. (Currently Amended) The assembly of claim 44 ~~43~~, wherein each set of opposing surfaces ~~faces~~ have bevelled cutting edges facing in one direction.

46. (Previously Presented) The assembly of claim 41, wherein the heads are disk shaped.

47. (Previously Presented) The assembly of claim 41, wherein the back faces are substantially smooth.

48. (Previously Presented) The assembly of claim 41, wherein each handle has a longitudinal axis and the relative position of the longitudinal axes of the handles are configured at an acute angle when initiating rotation of the heads about the bone plate.

49. (Previously Presented) The assembly of claim 48, wherein the angle formed between the handles of each head decreases as the heads are rotated about the bone plate.

50. (Previously Presented) The assembly of claim 49, wherein the heads are disk shaped.

51. (Canceled)

52. (Canceled)

53. (Canceled)

54. (Canceled)

55. (Canceled)

56. (New) The assembly of claim 41, wherein the second slot extends across substantially one-half the back face and tapers from the at least one outer surface toward an interior of the first head.

57. (New) The assembly of claim 56, wherein each opposing surface of each set of opposing surfaces intersects the back face of the shearing element to form a bevelled cutting edge.

58. (New) The assembly of claim 41, wherein the first and second heads are unitary members.

59. (New) A bone plate cutting assembly for shearing by transverse forces a bone plate having a non-circular cross-section and a longitudinal axis, comprising:

a first shearing element comprising

a handle for manipulation of the first shearing element; and

a first head attached to the handle and having a first side surface, a second side surface a portion of which is substantially flat, and at least one outer surface, the first head having a first slot extending from the first side surface to the second side surface and extending from the outer surface towards an interior of the first head; and

a second shearing element comprising

a handle for manipulation of the second shearing element; and

a second head attached to the handle and having a first side surface, a second side surface a portion of which is substantially flat, and at least one outer surface, the second head having a second slot extending from the first side surface to the second side surface and extending from the outer surface towards an interior of the second head;

wherein each slot has at least one bevelled cutting edge and a taper extending from the outer surface toward the interior of the head when viewed from the second surface;

wherein rotation of the first and second heads counter to one another with the second surfaces of the first and second heads directly touching each other at the cutting edges applies a torsional shearing force to the bone plate in a plane transverse to the longitudinal axis of the bone plate.

60. (New) The assembly of claim 59, wherein each slot has a second cutting edge.

61. (New) The assembly of claim 60, wherein each slot has opposing cutting edges.

62. (New) The assembly of claim 59, wherein the second side surfaces are substantially smooth.

63. (New) The assembly of claim 59, wherein at least a portion of each handle is tapered.

64. (New) The assembly of claim 63, wherein each handle has a longitudinal axis and the relative position of the longitudinal axes of the handles are configured at an acute angle when initiating rotation of the heads about the bone plate.

65. (New) The assembly of claim 64, wherein the angle formed between the handles of each head decreases as the heads are rotated about the bone plate.

66. (New) The assembly of claim 65, wherein the heads are disk shaped.

67. (New) The assembly of claim 59, wherein the first and second heads are unconnected for selectively locating the axis of rotation at two or more locations within the first slot.

68. (New) The assembly of claim 67, wherein the first and second slots define opposing faces and each opposing face of each set of opposing faces intersects the back face of the shearing element to form a bevelled cutting edge.

69. (New) The assembly of claim 68, wherein each set of opposing faces have bevelled cutting edges facing in one direction.

70. (New) The assembly of claim 59, wherein the axis of rotation is selectively located about half-way across the back face of the first slot.

71. (New) The assembly of claim 59, wherein the heads are disk shaped.

72. (New) The assembly of claim 59, wherein each handle has a longitudinal axis and the relative position of the longitudinal axes of the handles are configured at an acute angle when initiating rotation of the heads about the bone plate.

73. (New) The assembly of claim 72, wherein the angle formed between the handles of each head decreases as the heads are rotated about the bone plate.

74. (New) The assembly of claim 73, wherein the heads are disk shaped.

75. (New) The assembly of claim 59, wherein the first and second slot extend across substantially one-half the second side surface.

76. (New) The assembly of claim 75, wherein the first and second slots define opposing faces and each opposing face of each set of opposing faces intersects the back face of the shearing element to form a bevelled cutting edge.

77. (New) The assembly of claim 59, wherein the first and second heads are unitary members.

78. (New) A bone plate cutting assembly for shearing by transverse forces a bone plate having a non-circular cross-section and a longitudinal axis, comprising:

a first shearing element comprising

a handle for manipulation of the first shearing element; and

a first head attached to the handle and having a front face, a back face, and at least one outer surface, the first head having a first slot through the front and back faces and extending from the outer surface towards an interior of the first head, the first slot extending across substantially one-half the back face; and

a second shearing element comprising

a handle for manipulation of the second shearing element; and

a second head attached to the handle and having a front face, a back face, and at least one outer surface, the second head having a second slot through the front and back faces and extending from the outer surface towards an interior of the second head;

wherein the first and second slots each define a set of opposing surfaces and at least one opposing surface of each set of opposing surfaces intersects the back face of the shearing element to form a bevelled cutting edge;

wherein the edge bounding the first slot is non-parallel so that the distance between the edges bounding the first slot decreases from the outer surface toward the interior; and

wherein rotation of the first and second heads counter to one another about an axis of rotation with the heads directly touching each other at the cutting edges applies a torsional shearing force on the bone plate and the axis of rotation is selectively located within the first slot.

79. (New) The assembly of claim 78, wherein each slot has a second cutting edge.

80. (New) The assembly of claim 79, wherein each slot has opposing cutting edges.

81. (New) The assembly of claim 78, wherein the back faces are substantially smooth.

82. (New) The assembly of claim 78, wherein at least a portion of each handle is tapered.

83. (New) The assembly of claim 82, wherein each handle has a longitudinal axis and the relative position of the longitudinal axes of the handles are configured at an acute angle when initiating rotation of the heads about the bone plate.

84. (New) The assembly of claim 83, wherein the angle formed between the handles of each head decreases as the heads are rotated about the bone plate.

85. (New) The assembly of claim 84, wherein the heads are disk shaped.

86. (New) The assembly of claim 78, wherein the axis of rotation is selectively located about half-way across the back face of the first slot.

87. (New) The assembly of claim 78, wherein the first and second heads are unconnected for selectively locating the axis of rotation at two or more locations within the first slot.

88. (New) The assembly of claim 87, wherein each opposing surface of each set of opposing surfaces intersects the back face of the shearing element to form a bevelled cutting edge.

89. (New) The assembly of claim 88, wherein each set of opposing surfaces have bevelled cutting edges facing in one direction.

90. (New) The assembly of claim 78, wherein the heads are disk shaped.

91. (New) The assembly of claim 78, wherein each handle has a longitudinal axis and the relative position of the longitudinal axes of the handles are configured at an acute angle when initiating rotation of the heads about the bone plate.

92. (New) The assembly of claim 91, wherein the angle formed between the handles of each head decreases as the heads are rotated about the bone plate.

93. (New) The assembly of claim 92, wherein the heads are disk shaped.

94. (New) The assembly of claim 78, wherein the second slot extends across substantially one-half the back face and the edge bounding the second slot is non-parallel so that the distance between the edges bounding the slot decreases from the outer surface toward the interior.

95. (New) The assembly of claim 94, wherein each opposing surface of each set of opposing surfaces intersects the back face of the shearing element to form a bevelled cutting edge.

96. (New) The assembly of claim 78, wherein the first and second heads are unitary members.